

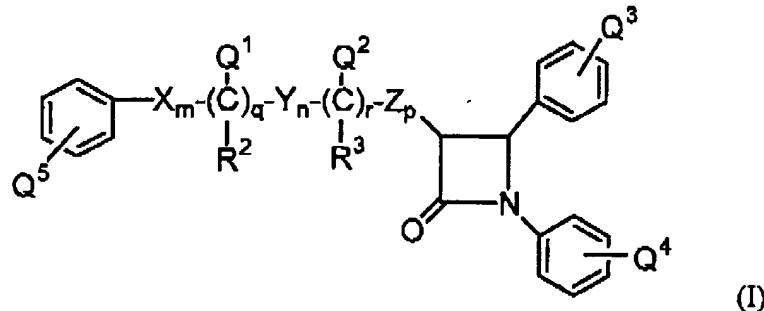
Application No. 10/791,910
 Amendment dated July 7, 2006
 Attorney Docket No. CV06025US01

AMENDMENTS TO THE CLAIMS

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1. (Currently Amended) A compound represented by the structural formula (I):



or pharmaceutically acceptable isomers, salts, solvates or esters of the compound of Formula (I), wherein in Formula (I) above:

X, Y and Z can be the same or different and each is independently selected from the group consisting of -CH₂-, -CH(alkyl)- and -C(alkyl)₂;

Q¹ and Q² can be the same or different and each is independently selected from the group consisting of H, G-(C₀₁-C₃₀ alkylene)-G, -OR⁶, -OC(O)R⁶, -OC(O)OR⁹, -OC(O)NR⁶R⁷, and -L-M;

Q³ is 1 to 5 substituents independently selected from the group consisting of alkyl, alkenyl, alkynyl, G-(C₀₁-C₃₀ alkylene)-G, OR⁶, -(C₀₁-C₁₀ alkylene)-OR⁶, C(O)R⁶, -(C₀₁-C₁₀ alkylene)-C(O)R⁶, C(O)OR⁶, -(C₀₁-C₁₀ alkylene)-C(O)OR⁶, OC(O)R⁶, -(C₀₁-C₁₀ alkylene)-OC(O)R⁶, OC(O)OR⁹, -(C₀₁-C₁₀ alkylene)-OC(O)OR⁹, -CH=CH-C(O)R⁶, -CH=CH-C(O)OR⁶, -C≡C-C(O)OR⁶, -C≡C-C(O)R⁶, -O-(C₁-C₁₀ alkylene)-OR⁶, -O-(C₁-C₁₀ alkylene)-C(O)R⁶, -O-(C₁-C₁₀ alkylene)-C(O)OR⁶, -CN, -O-(C₁-C₁₀ alkylene)-C(O)NR⁶R⁷, O-C(O)NR⁶NR⁷C(O)OR⁶, -O-(C₀₁-C₁₀ alkylene)-C(O)NR⁶R⁷C(O)OR⁶, O-(C₁-C₁₀ alkylene)-C(O)(aryl)-N₃, -O-(C₁-C₁₀ alkylene)-C(O)(aryl)-N=N, -OC(O)-(C₁-C₁₀ alkylene)-C(O)OR⁶, C(O)NR⁶R⁷, -(C₀₁-C₁₀ alkylene)-C(O)NR⁶R⁷, OC(O)NR⁶R⁷, -(C₀₁-C₁₀ alkylene)-OC(O)NR⁶R⁷, -NO₂, NR⁶R⁷, -(C₀₁-C₁₀ alkylene)-NR⁶R⁷, -O-(C₂-C₁₀ alkylene)-NR⁶R⁷, -NR⁶C(O)R⁷, -NR⁶C(O)OR⁹,

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-NR⁶C(O)NR⁷R⁸, -NR⁶S(O)₀₋₂R⁹, -N(S(O)₀₋₂R⁹)₂, -CHNOR⁶, -C(O)NR⁶R⁷,
 -C(O)NR⁶NR⁷R⁸, -S(O)₀₋₂NR⁶R⁷, -S(O)₀₋₂R⁹, -O-C(O)-(C₁-C₁₀ alkylene)-C(O)NR⁶R⁷,
 -OC(O)-(C₁-C₁₀ alkylene)-NR⁶C(O)O-(alkylaryl), -P(O)(OR¹⁰)₂,
 -(C₁-C₁₀ alkylene)-OSi(alkyl)₃, -CF₃, -OCF₃, halo, alkoxyalkoxy, alkoxyalkoxyalkoxy,
 alkoxy carbonylalkoxy, alkoxyarylalkoxy, alkoxyiminoalkyl, alkylidoyl, allyloxy, aryl, arylalkyl,
 aryloxy, arylalkoxy, aroyl, aroyloxy, aroylaroyloxy, arylalkoxycarbonyl, benzoylbenzoyloxy,
 heteroaryl, heteroarylalkyl, heteroarylalkoxy, dioxolanyl, heterocyclyl, heterocyclylalkyl,
 heterocyclylcarbonyl, heterocyclylcarbonylalkoxy and -L-M;

Q⁴ is 1 to 5 substituents independently selected from the group consisting of alkyl, alkenyl, alkynyl, -G, -(C₀₁-C₃₀ alkylene)-G, -OR⁶, -(C₀₁-C₁₀ alkylene)-OR⁶, -C(O)R⁶,
 -(C₀₁-C₁₀ alkylene)-C(O)R⁶, -C(O)OR⁶, -(C₀₁-C₁₀ alkylene)-C(O)OR⁶, -OC(O)R⁶,
 -(C₀₁-C₁₀ alkylene)-OC(O)R⁶, -OC(O)OR⁹, -(C₀₁-C₁₀ alkylene)-OC(O)OR⁹, -CH=CH-C(O)R⁶,
 -CH=CH-C(O)OR⁶, -C≡C-C(O)OR⁶, -C≡C-C(O)R⁶, -O-(C₁-C₁₀ alkylene)-OR⁶,
 -O-(C₁-C₁₀ alkylene)-C(O)R⁶, -O-(C₁-C₁₀ alkylene)-C(O)OR⁶, -CN,
 -O-(C₁-C₁₀ alkylene)-C(O)NR⁶R⁷, -O-C(O)NR⁶NR⁷C(O)OR⁶, -O-(C₀₁-C₁₀ alkylene)-
 C(O)NR⁶NR⁷C(O)OR⁶, -O-(C₁-C₁₀ alkylene)-C(O)(aryl)-N₃, ~~O-(C₁-C₁₀ alkylene)-C(O)(aryl)-N~~
~~N=N~~, -OC(O)-(C₁-C₁₀ alkylene)-C(O)OR⁶, -C(O)NR⁶R⁷, -(C₀₁-C₁₀ alkylene)-C(O)NR⁶R⁷,
-OC(O)NR⁶R⁷, -(C₀₁-C₁₀ alkylene)-OC(O)NR⁶R⁷, -NO₂, -NR⁶R⁷, -(C₀₁-C₁₀ alkylene)-NR⁶R⁷,
 -O-(C₂-C₁₀ alkylene)-NR⁶R⁷, -NR⁶C(O)R⁷, -NR⁶C(O)OR⁹,
 -NR⁶C(O)NR⁷R⁸, -NR⁶S(O)₀₋₂R⁹, -N(S(O)₀₋₂R⁹)₂, -CHNOR⁶, -C(O)NR⁶R⁷,
 -C(O)NR⁶NR⁶R⁷, -S(O)₀₋₂NR⁶R⁷, -S(O)₀₋₂R⁹, -O-C(O)-(C₁-C₁₀ alkylene)-C(O)NR⁶R⁷,
 -OC(O)-(C₁-C₁₀ alkylene)-NR⁶C(O)O-(alkylaryl), -P(O)(OR¹⁰)₂,
 -(C₁-C₁₀ alkylene)-OSi(alkyl)₃, -CF₃, -OCF₃, halo, alkoxyalkoxy, alkoxyalkoxyalkoxy,
 alkoxy carbonylalkoxy, alkoxyarylalkoxy, alkoxyiminoalkyl, alkylidoyl, allyloxy, aryl, arylalkyl,
 aryloxy, arylalkoxy, aroyl, aroyloxy, aroylaroyloxy, arylalkoxycarbonyl, benzoylbenzoyloxy,
 heteroaryl, heteroarylalkyl, heteroarylalkoxy, dioxolanyl, heterocyclyl, heterocyclylalkyl,
 heterocyclylcarbonyl, heterocyclylcarbonylalkoxy and -L-M;

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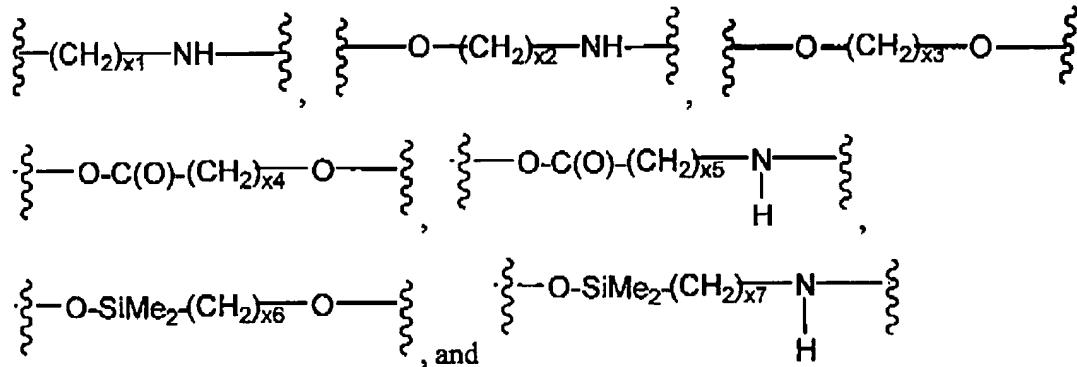
Q^5 is 1 to 5 substituents independently selected from the group consisting of alkyl, alkenyl, alkynyl, $-G-(C_{01}-C_{30}$ alkylene)- G , $-OR^6-(C_{01}-C_{10}$ alkylene)- OR^6 , $-C(O)R^6$, $-(C_{01}-C_{10}$ alkylene)- $C(O)R^6$, $-C(O)OR^6$, $-(C_{01}-C_{10}$ alkylene)- $C(O)OR^6$, $-OC(O)R^6$, $-(C_{01}-C_{10}$ alkylene)- $OC(O)R^6$, $-OC(O)OR^9$, $-(C_{01}-C_{10}$ alkylene)- $OC(O)OR^9$, $-CH=CH-C(O)R^6$, $-CH=CH-C(O)OR^6$, $-C\equiv C-C(O)OR^6$, $-C\equiv C-C(O)R^6$, $-O-(C_1-C_{10}$ alkylene)- OR^6 , $-O-(C_1-C_{10}$ alkylene)- $C(O)R^6$, $-O-(C_1-C_{10}$ alkylene)- $C(O)OR^6$, $-CN$, $-O-(C_1-C_{10}$ alkylene)- $C(O)NR^6R^7$, $-O-C(O)NR^6NR^7C(O)OR^6$, $-O-(C_{01}-C_{10}$ alkylene)- $C(O)NR^6NR^7C(O)OR^6$, $-O-(C_1-C_{10}$ alkylene)- $C(O)(aryl)-N_3$, $-O-(C_1-C_{10}$ alkylene)- $C(O)(aryl)-N-N=N$, $-OC(O)-(C_1-C_{10}$ alkylene)- $C(O)OR^6$, $-C(O)NR^6R^7$, $-(C_{01}-C_{10}$ alkylene)- $C(O)NR^6R^7$, $-OC(O)NR^6R^7$, $-(C_{01}-C_{10}$ alkylene)- $OC(O)NR^6R^7$, $-NO_2$, $-NR^6R^7$, $-(C_{01}-C_{10}$ alkylene)- NR^6R^7 , $-O-(C_2-C_{10}$ alkylene)- NR^6R^7 , $-NR^6C(O)R^7$, $-NR^6C(O)OR^9$, $-NR^6C(O)NR^7R^8$, $-NR^6S(O)_{0-2}R^9$, $-N(S(O)_{0-2}R^9)_2$, $-CHNOR^6$, $-C(O)NR^6R^7$, $-C(O)NR^6NR^6R^7$, $-S(O)_{0-2}NR^6R^7$, $-S(O)_{0-2}R^9$, $-O-C(O)-(C_1-C_{10}$ alkylene)- $C(O)NR^6R^7$, $-OC(O)-(C_1-C_{10}$ alkylene)- $NR^6C(O)O-(alkylaryl)$, $-P(O)(OR^{10})_2$, $-(C_1-C_{10}$ alkylene)- $OSi(alkyl)_3$, $-CF_3$, $-OCF_3$, $halo$, $alkoxyalkoxy$, $alkoxyalkoxyalkoxy$, $alkoxycarbonylalkoxy$, $alkoxyarylalkoxy$, $alkoxyiminoalkyl$, $alkyldioyl$, $allyloxy$, $aryl$, $arylalkyl$, $aryloxy$, $arylalkoxy$, $aroyl$, $aroxy$, $arylaroxy$, $arylalkoxycarbonyl$, $benzoylbenzoyloxy$, $heteroaryl$, $heteroarylalkyl$, $heteroarylalkoxy$, $dioxolanyl$, $heterocycl$, $heterocyclalkyl$, $heterocyclcarbonyl$, $heterocyclcarbonylalkoxy$ and $-L-M$;

wherein optionally one or more carbon atoms of the $-(C_{01}-C_{30}$ alkylene)- radical of Q^1 , Q^2 , Q^3 , Q^4 and Q^5 is independently replaced by $-O-$, $-C(O)-$, $-CH=CH-$, $-C\equiv C-$, $-N(alkyl)-$, $-N(alkylaryl)-$ or $-NH-$;

G is selected from the group consisting of a sugar residue, disugar residue, trisugar residue, tetrasugar residue, sugar acid, amino sugar, amino acid residue, oligopeptide residue comprising 2 to 9 amino acids, trialkylammoniumalkyl radical and $-S(O)_{2-OH}$, wherein optionally the sugar residue, disugar residue, trisugar residue, tetrasugar residue, sugar acid, amino sugar, amino acid residue or oligopeptide residue of G is substituted with $-L-M$;

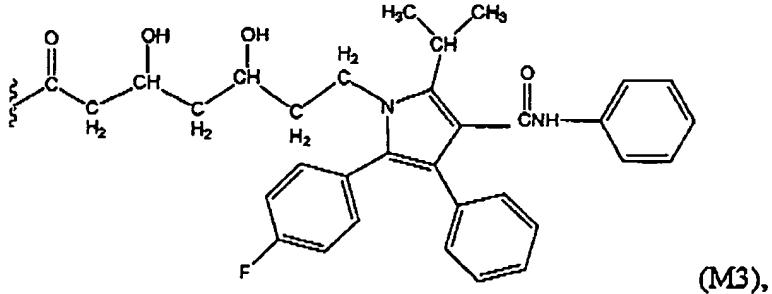
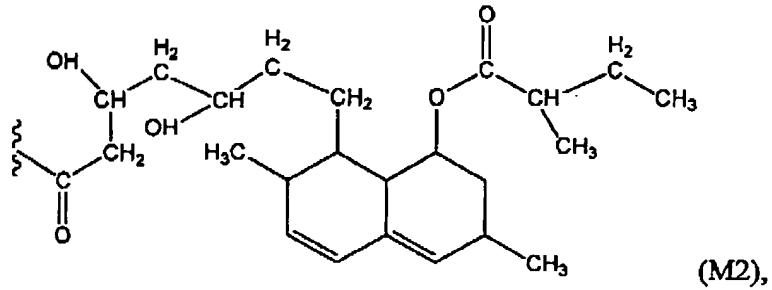
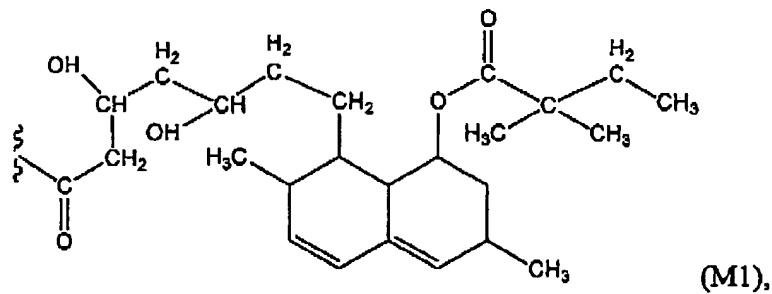
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L is selected from the group consisting of

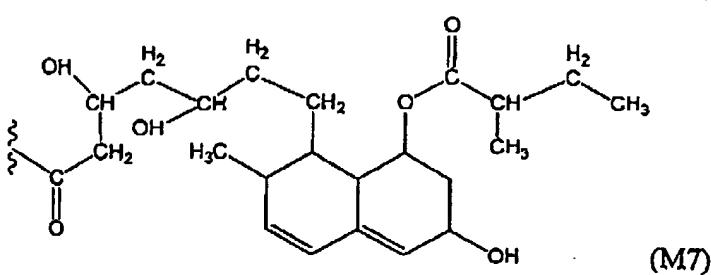
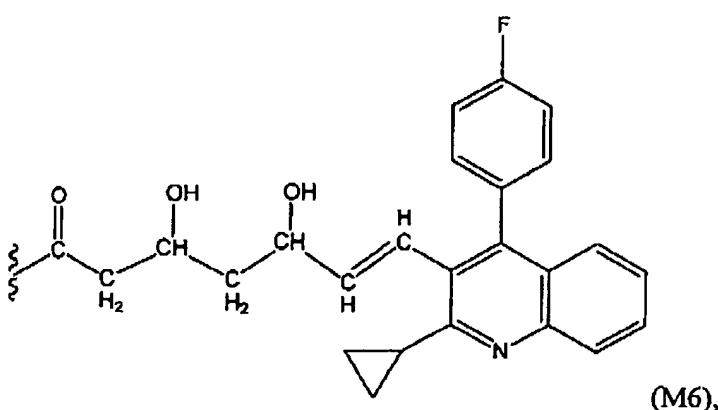
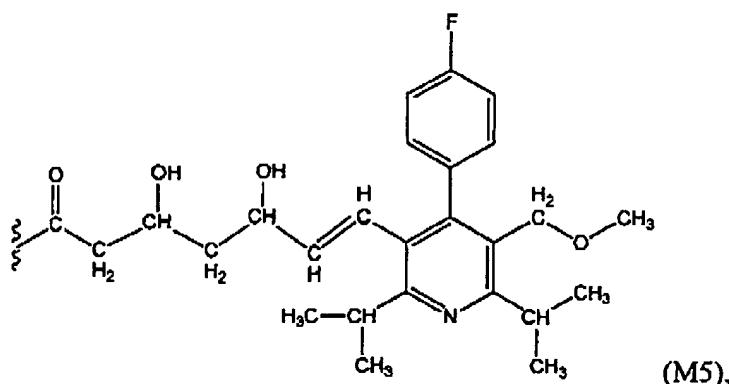
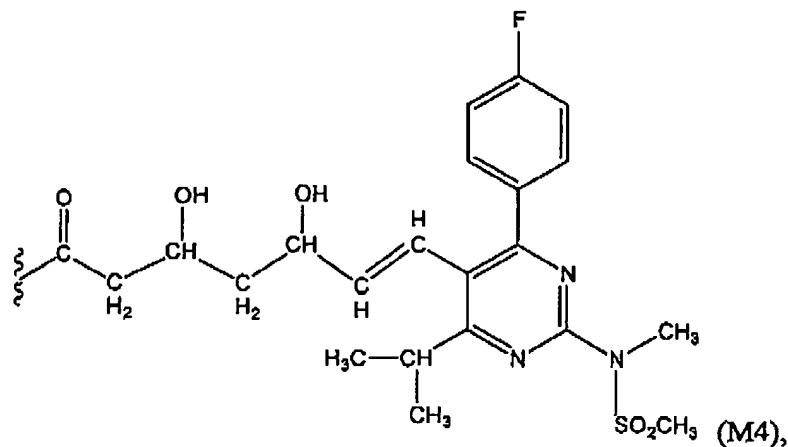


wherein Me is methyl;

M is selected from the group consisting of

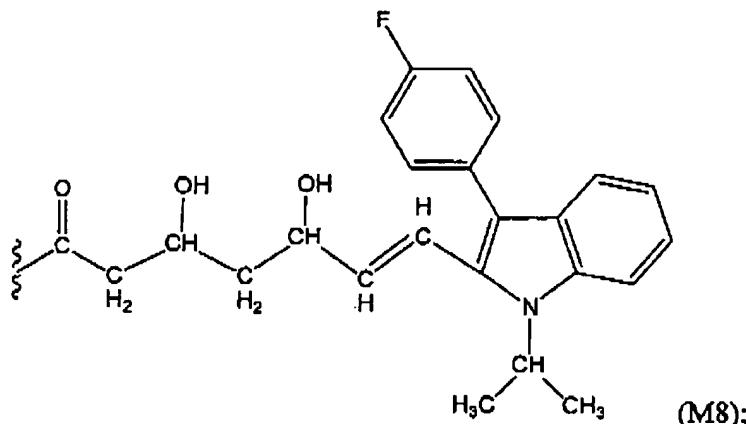


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and



R^2 and R^3 can be the same or different and each is independently selected from the group consisting of hydrogen, alkyl and aryl;

R^6 , R^7 and R^8 can be the same or different and each is independently selected from the group consisting of hydrogen, alkyl, aryl and arylalkyl; and

each R^9 is independently alkyl, aryl or arylalkyl.

each R^{10} is independently H or alkyl;

q is 0 or 1;

r is 0 or 1;

m , n and p are independently selected from 0, 1, 2, 3 or 4; provided that at least one of q and r is 1, and the sum of m , n , p , q and r is 1, 2, 3, 4, 5 or 6; and provided that when p is 0 and r is 1, the sum of m , q and n is 1, 2, 3, 4 or 5;

$x1$ is 1 to 10;

$x2$ is 1 to 10;

$x3$ is 1 to 10;

$x4$ is 1 to 10;

$x5$ is 1 to 10;

$x6$ is 1 to 10; and

$x7$ is 1 to 10;

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with the proviso that at least one of Q^1 , Q^2 , Q^3 , Q^4 and Q^5 is $-L-M$ or the sugar residue, disugar residue, trisugar residue, tetrasugar residue, sugar acid, amino sugar, amino acid residue or oligopeptide residue of G is substituted with $-L-M$, and

wherein each of the above alkyl, alkenyl, alkynyl, alkylene, alkoxyalkoxy, alkoxyalkoxyalkoxy, alkoxycarbonylalkoxy, alkoxyarylalkoxy, alkoxyiminoalkyl, alkylidioyl, allyloxy, aryl, arylalkyl, aryloxy, arylalkoxy, aroyl, aroyloxy, aroylaroyloxy, arylalkoxycarbonyl, benzoylbenzoyloxy, heteroaryl, heteroarylalkyl, heteroarylalkoxy, dioxolanyl, heterocyclyl, heterocyclylalkyl, heterocyclylcarbonyl, or heterocyclylcarbonylalkoxy groups, when present, is independently substituted or unsubstituted.

2. (Original) The compound according to claim 1, wherein m, n and r are each zero, q is 1, p is 2, and Z is $-CH_2-$.

3. (Original) The compound according to claim 1, wherein m, n and r are each zero, q is 1, p is 2, and Z is $-CH_2-$, Q^1 is $-OR^6$, wherein R^6 is hydrogen and Q^5 is fluorine.

4. (Original) The compound according to claim 1, wherein R^2 and R^3 are each preferably hydrogen.

5. (Original) The compound according to claim 1, wherein Q^1 and Q^2 are each independently selected from the group consisting of $-OR^6$, $-O(CO)R^6$, $-O(CO)OR^9$ and $-O(CO)NR^6R^7$.

6. (Original) The compound according to claim 1, wherein Q^4 is halo or $-OR^6$.

(W0282638.1)

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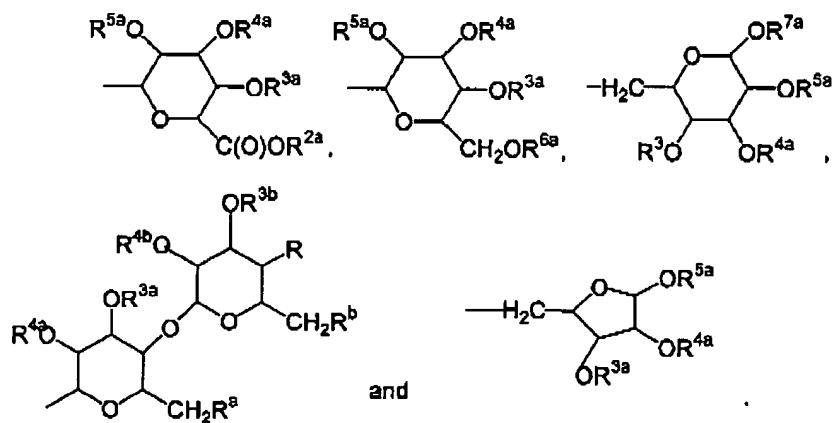
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7. (Original) The compound according to claim 1, wherein Q¹ is -OR⁶ wherein R⁶ is H.

8. (Original) The compound according to claim 1, wherein Q¹, Q², Q³, Q⁴ or Q⁵ is -L-M.

9. (Currently Amended) The compound according to claim 1, wherein Q¹, Q², Q³, Q⁴ or Q⁵ is -G or -(C₀₁-C₃₀ alkylene)-G.

10. (Withdrawn) The compound according to claim 1, wherein G is selected from the group consisting of:



wherein R, R^a and R^b can be the same or different and each is independently selected from the group consisting of H, -OH, halo, -NH₂, azido, alkoxyalkoxy or -W-R³⁰;

W is independently selected from the group consisting of -NH-C(O)-, -O-C(O)-, -O-C(O)-N(R³¹)-, -NH-C(O)-N(R³¹)- and -O-C(S)-N(R³¹)-;

R^{2a} and R^{6a} can be the same or different and each is independently selected from the group consisting of H, alkyl, acetyl, aryl and arylalkyl;

R^{3a}, R^{4a}, R^{5a}, R^{7a}, R^{3b} and R^{4b} can be the same or different and each is independently selected from the group consisting of H, alkyl, acetyl, arylalkyl, -C(O)alkyl and -C(O)aryl;

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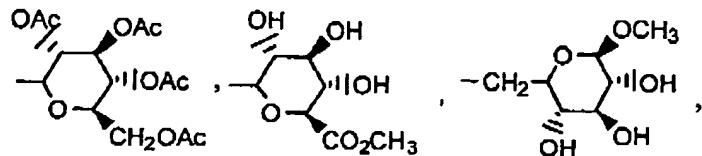
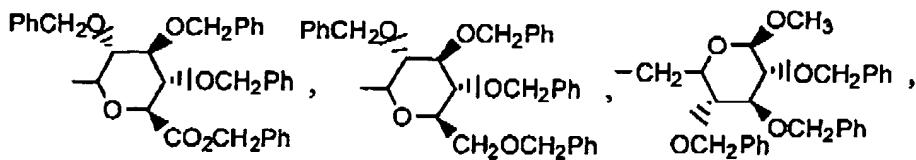
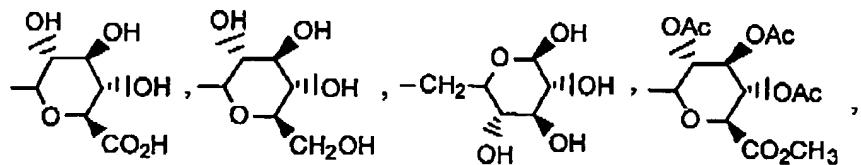
R^{30} is independently selected from the group consisting of R^{32} -substituted T, R^{32} -substituted-T-alkyl, R^{32} -substituted-alkenyl, R^{32} -substituted-alkyl, R^{32} -substituted-cycloalkyl and R^{32} -substituted-cycloalkylalkyl;

R^{31} is independently selected from the group consisting of H and alkyl;

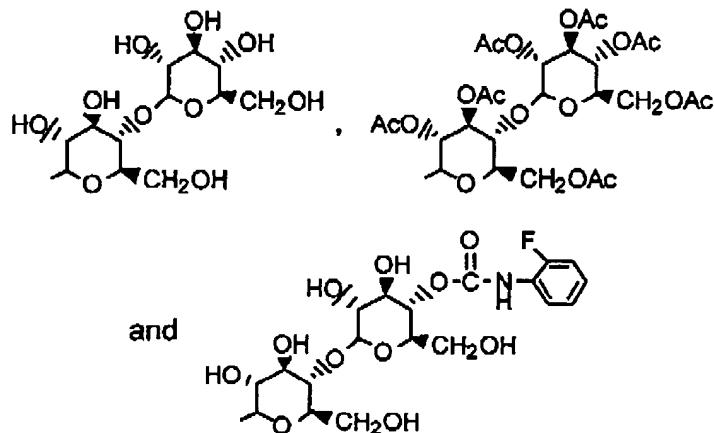
T is independently selected from the group consisting of phenyl, furyl, thienyl, pyrrolyl, oxazolyl, isoxazolyl, thiazolyl, isothiazolyl, benzothiazolyl, thiadiazolyl, pyrazolyl, imidazolyl and pyridyl;

R^{32} is 1 to 3 substituents which are each independently selected from the group consisting of H, halo, alkyl, -OH, phenoxy, -CF₃, -NO₂, alkoxy, methylenedioxy, oxo, alkylsulfanyl, alkylsulfinyl, alkylsulfonyl, -N(CH₃)₂, -C(O)-NHalkyl, -C(O)-N(alkyl)₂, -C(O)-alkyl, -C(O)-alkoxy and pyrrolidinylcarbonyl; or R^{32} is a covalent bond and R^{31} , the nitrogen to which it is attached and R^{32} form a pyrrolidinyl, piperidinyl, N-methyl-piperazinyl, indolinyl or morpholinyl group, or a alkoxy carbonyl-substituted pyrrolidinyl, piperidinyl, N-methylpiperazinyl, indolinyl or morpholinyl group.

11. (Withdrawn) The compound according to claim 10, wherein G is selected from:



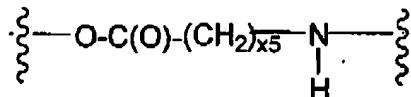
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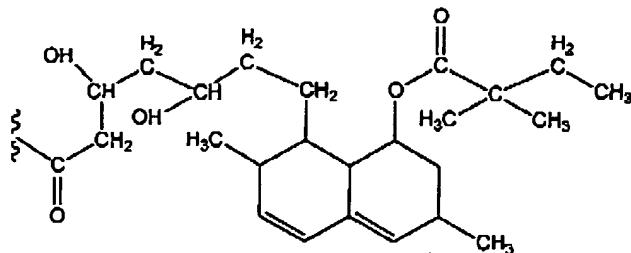
wherein Ac is acetyl and Ph is phenyl.

12. (Currently Amended) The compound according to claim 1, wherein optionally one or more carbon atoms of the $-(C_{61}-C_{30}$ alkylene)- radical of Q^1 , Q^2 , Q^3 , Q^4 and Q^5 is independently replaced by $-O-$.

13. (Original) The compound according to claim 1, wherein L is

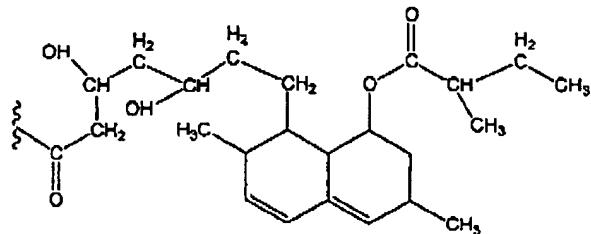


14. (Original) The compound according to claim 1, wherein M is

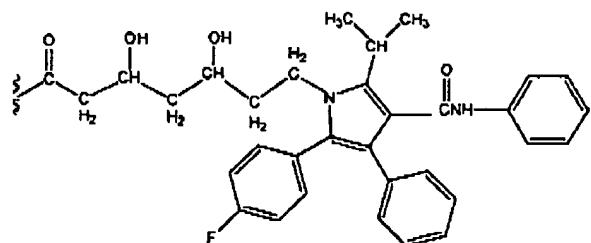


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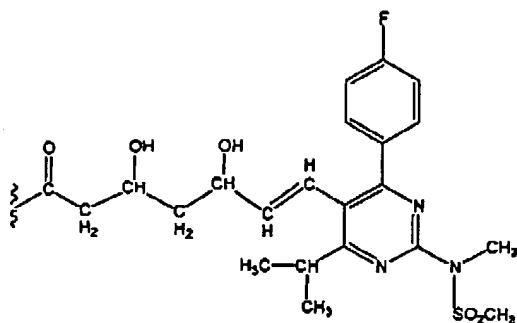
15. (Original) The compound according to claim 1, wherein M is



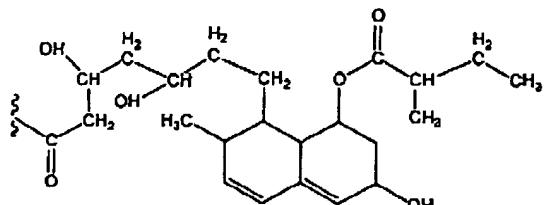
16. (Original) The compound according to claim 1, wherein M is



17. (Original) The compound according to claim 1, wherein M is

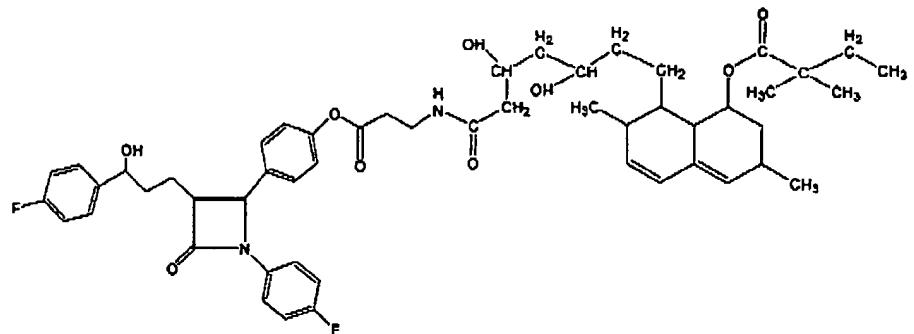


18. (Original) The compound according to claim 1, wherein M is

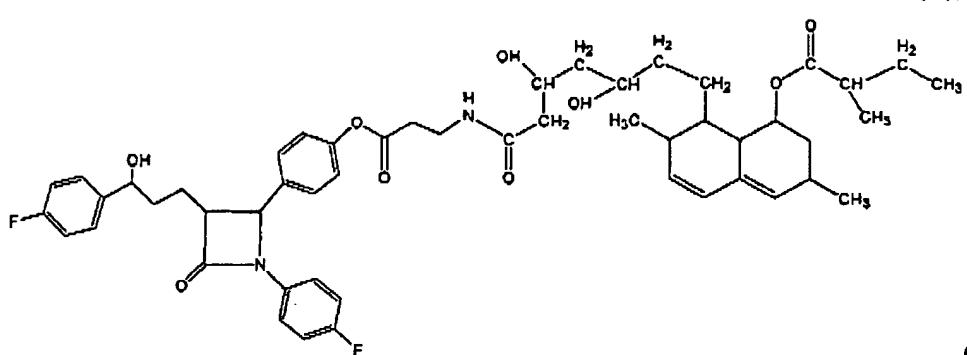


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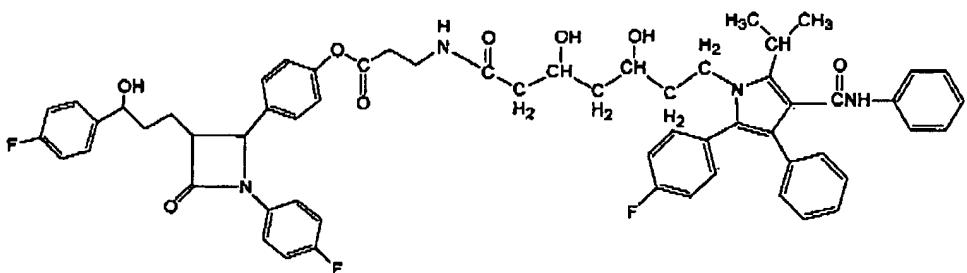
19. (Original) The compound according to claim 1, which is selected from the group consisting of



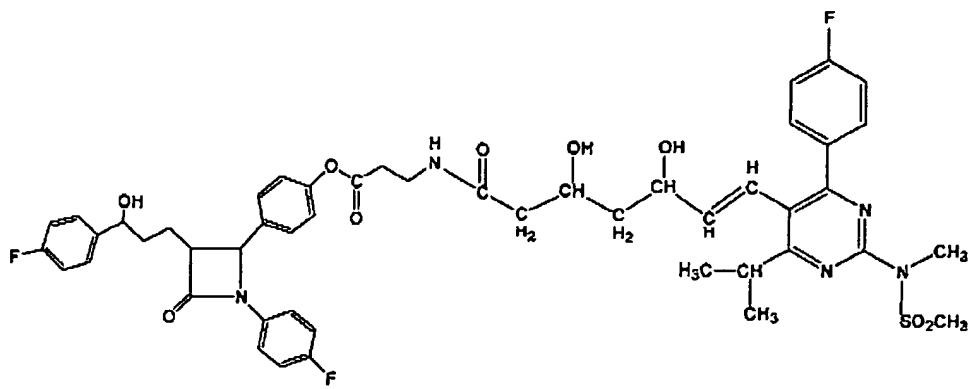
(II),



(III),



(IV),



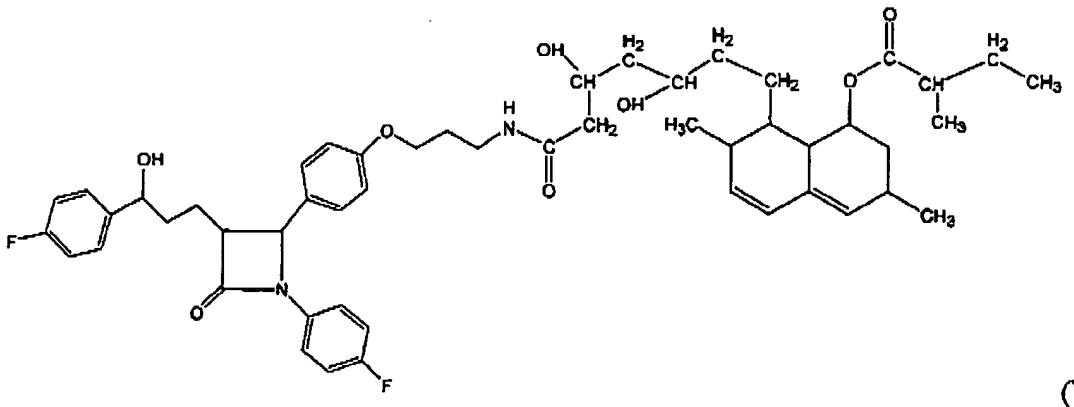
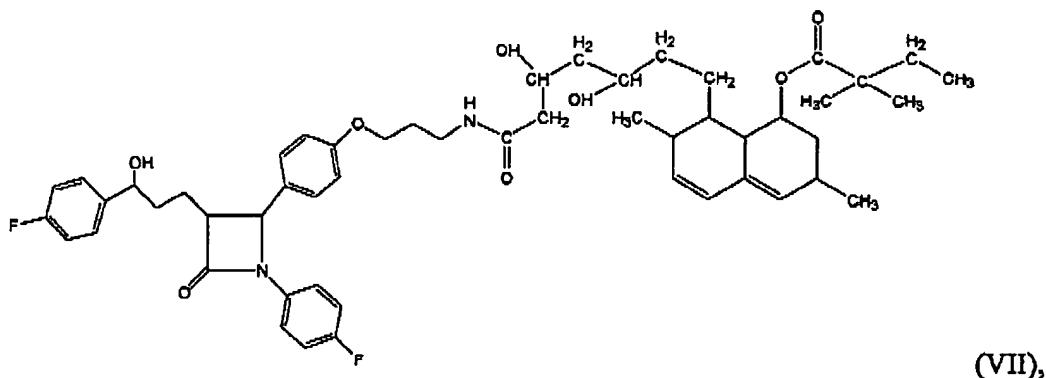
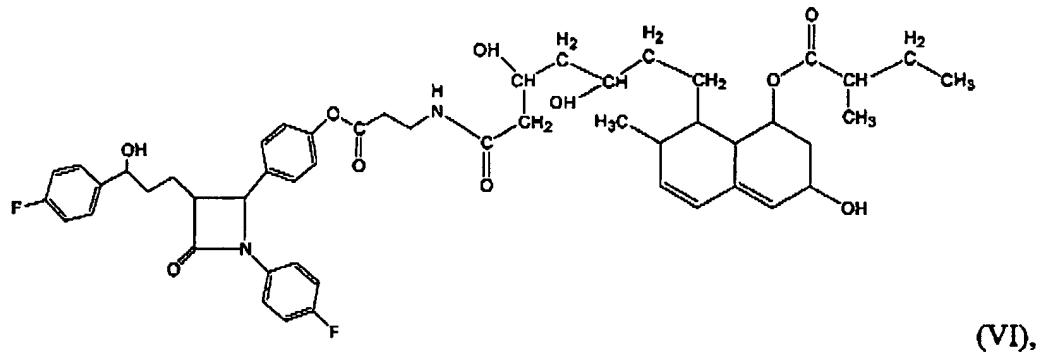
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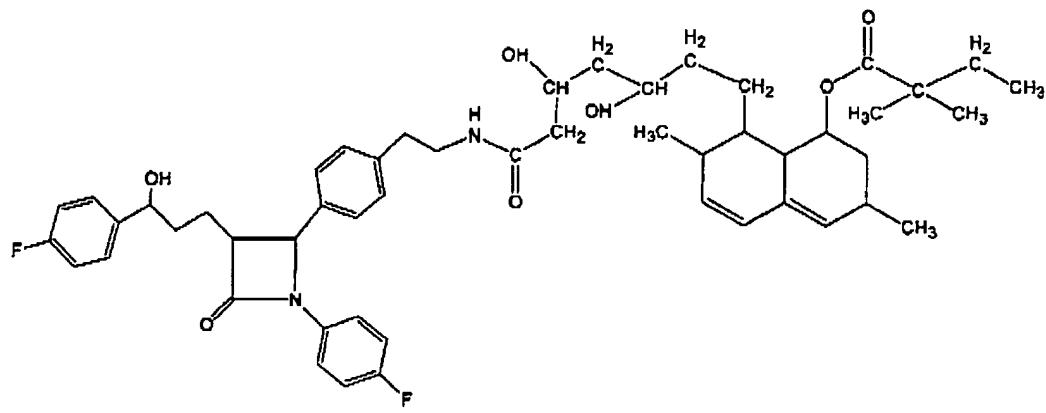
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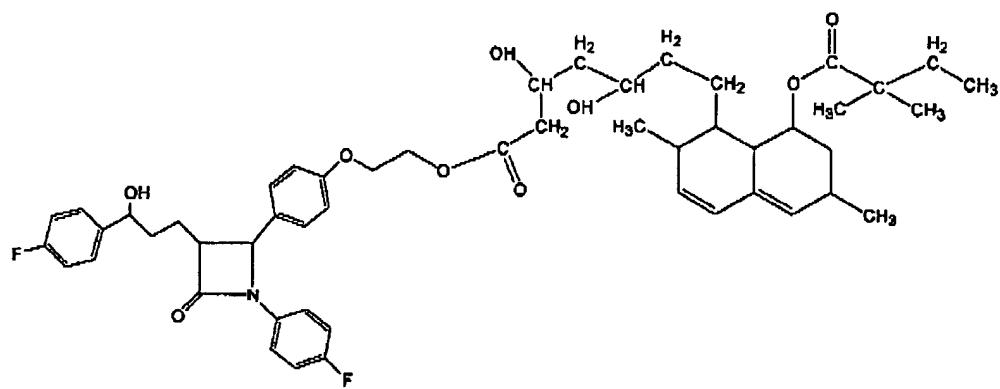


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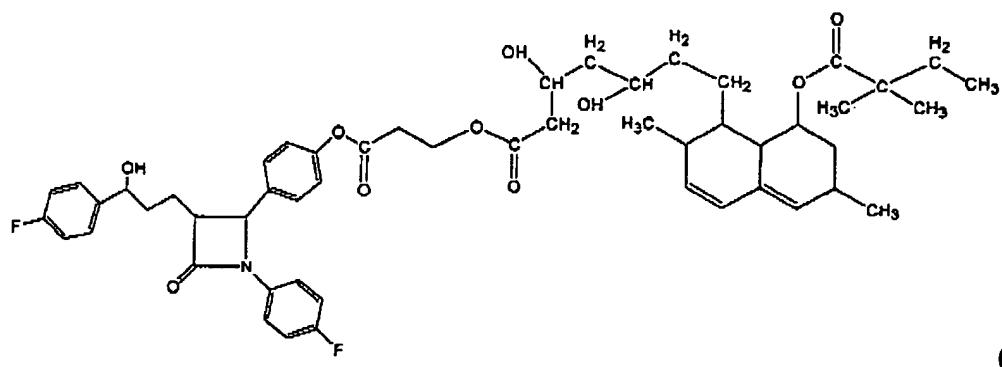
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(IX),

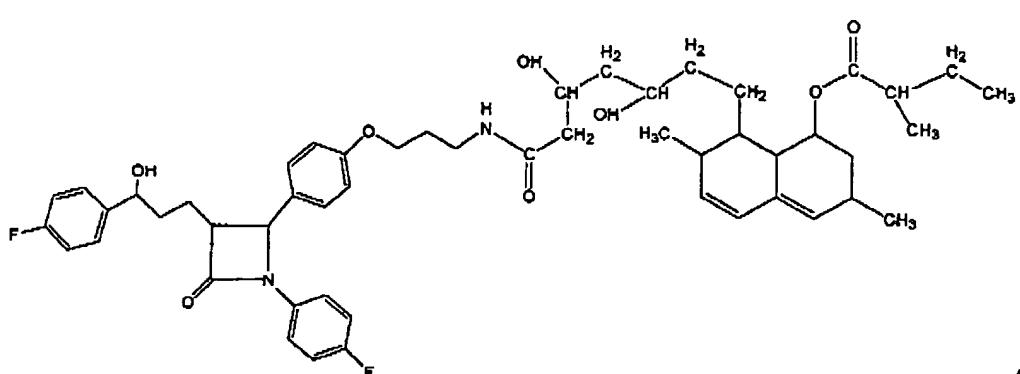
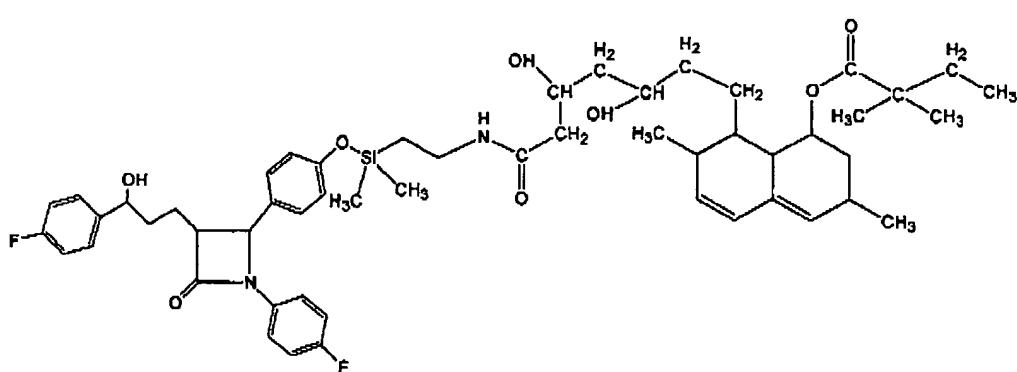
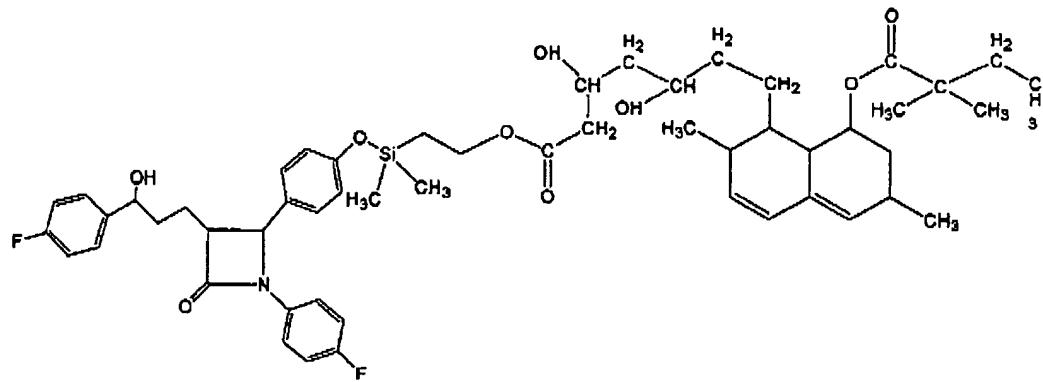


(X),



(XI),

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20. (Currently Amended) A pharmaceutical composition for the treatment of prevention of a vascular condition atherosclerosis, hypercholesterolemia, sitosterolemia, diabetes mellitus, obesity, stroke, lowering a concentration of a-cholesterol, phytosterol or 5a-stanol in plasma of a mammal, preventing treating demyelination or treating Alzheimer's disease and/or

(W0282638.1)

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regulating levels of amyloid β peptides in a subject comprising a therapeutically effective amount of a compound of claim 1 in a pharmaceutically acceptable carrier.

21. (Original) A pharmaceutical composition comprising a cholesterol-lowering effective amount of a compound of claim 1 in a pharmaceutically acceptable carrier.

22. (Currently Amended) A method of treating ~~or preventing a vascular condition condition~~ ~~atherosclerosis, hypercholesterolemia, sitosterolemia, diabetes mellitus, obesity, stroke,~~ lowering a concentration of ~~a~~cholesterol, phytosterol or 5 α -stanol in plasma of a mammal, ~~preventing~~ ~~treating~~ demyelination or treating Alzheimer's disease or regulating a level of an amyloid β peptide in a subject comprising the step of administering to a subject in need of such treatment an effective amount of a compound of claim 1.

23. (Original) A method of lowering cholesterol level in plasma of a mammal in need of such treatment comprising administering a pharmaceutically effective amount of the compound of claim 1.